

Senate Study Bill 3195 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON ZAUN)

A BILL FOR

1 An Act relating to child endangerment and the termination of
2 parental rights, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 232.116, subsection 1, paragraph n,
2 subparagraph (2), Code 2020, is amended to read as follows:

3 (2) The parent has been convicted of child endangerment
4 resulting in the death of the child's sibling, has been
5 convicted of ~~three or more acts~~ of child endangerment involving
6 the any child, ~~the child's sibling, or another child in~~
7 ~~the household,~~ or has been convicted of child endangerment
8 resulting in a serious injury to the any child, ~~the child's~~
9 ~~sibling, or another child in the household.~~

10 Sec. 2. Section 726.6, Code 2020, is amended by adding the
11 following new subsections:

12 NEW SUBSECTION. 5A. A county attorney who charges a person
13 with child endangerment resulting in serious injury to a
14 child or minor shall not reduce that charge if the person has
15 previously been convicted of child endangerment involving any
16 child or minor.

17 NEW SUBSECTION. 6A. A person who is convicted of three or
18 more acts of child endangerment is guilty of a class "D" felony
19 and notwithstanding section 901.5 or any other provision of
20 law, shall serve a mandatory minimum term of confinement of
21 five years in prison.

22 NEW SUBSECTION. 8. A person convicted of child
23 endangerment, including child endangerment resulting in
24 serious injury, shall complete a six-week child abuse education
25 program, attend anger management therapy, and submit to a
26 mental health evaluation upon completion of any sentence or
27 within a time specified by the court. The convicted person
28 shall comply with all recommendations of a therapist or mental
29 health professional.

30 EXPLANATION

31 The inclusion of this explanation does not constitute agreement with
32 the explanation's substance by the members of the general assembly.

33 This bill relates to child endangerment and the termination
34 of parental rights, and provides penalties.

35 The bill provides that the court may order the termination

1 of parental rights with respect to a child if a parent
2 has been convicted of child endangerment resulting in the
3 death of the child's sibling, has been convicted of child
4 endangerment involving any child, or has been convicted of
5 child endangerment resulting in a serious injury to any child.

6 The bill provides that a county attorney who charges a person
7 with child endangerment resulting in serious injury shall not
8 reduce that charge if the person has previously been convicted
9 of child endangerment involving any child.

10 The bill provides that a person who is convicted of three or
11 more acts of child endangerment shall be guilty of a class "D"
12 felony, and notwithstanding any other provision of law, shall
13 serve a mandatory minimum term of confinement of five years in
14 prison. A class "D" felony is punishable by confinement for no
15 more than five years and a fine of at least \$750 but not more
16 than \$7,500.

17 The bill requires that a person convicted of child
18 endangerment, including child endangerment causing serious
19 injury, complete a six-week child abuse education program,
20 attend anger management therapy, and submit to a mental health
21 evaluation upon completion of any sentence or within a time
22 specified by the court. The convicted person shall comply
23 with all recommendations of a therapist or mental health
24 professional.